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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,547	09/14/2000	Donald K Harper Jr	BERG-2456	9048

7590 07/15/2003

Thomas E Watson
Woodcock Washburn Kurtz Mackiewicz & Norris LLP
One Liberty Place-46th Floor
Philadelphia, PA 19103

EXAMINER

MCCAMEY, ANN M

ART UNIT PAPER NUMBER

2833

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/661,547

Applicant(s)

HARPER JR, DONALD K

Examiner

Ann M McCamey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33-39 is/are allowed.
- 6) ☒ Claim(s) 40-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 16.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 40-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Lemke et al. (US 6,042,389).

Regarding claim 40, Lemke et al. disclose (Fig. 4) an electrical connector assembly adapted for forming a mechanical and electrical connection between a substrate and a component having an array of fusible elements thereon, comprising:

a first connector half 52, said first connector half having first and second surfaces, said first surface having an array of reflowable elements 74 thereon for electrical connection to corresponding mating elements already on the substrate, said second surface having a first array of connecting elements 76, said reflowable elements electrically connected to said first array of connecting elements; and

a second connector half 20, said second connector half having first and second surfaces, said first surface having an array of mounting tail contacts 35 thereon for electrical and mechanical connection to the array of fusible elements on the component,

said second surface having a second array of connecting elements 28 adapted to intermate with said first array of connecting elements, said mounting tail contacts electrically connected to said second array of connecting elements.

Regarding claim 41, Lemke et al. disclose the array of mounting tail contacts arranged to correspond to the array of fusible elements on the component.

Regarding claim 42, Lemke et al. disclose the mounting tail contacts situated in a recess 50.

Regarding claim 43, Lemke et al. disclose the array of reflowable elements being an array of ball-type contacts.

Regarding claim 44, Lemke et al. disclose the array of mounting elements being adapted to receiving an array of ball-type contacts.

Regarding claim 45, Lemke et al. disclose the array of reflowable elements being a BGA.

Regarding claim 46, Lemke et al. disclose each connecting element on the first connector half comprising two elongated members and each connecting element on the second connector half comprising an elongated member.

Allowable Subject Matter

Claims 33-39 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: claim 33 recites the limitation of the mounting elements being substantially

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devoid of solder mass. Prior art teaches the mounting elements being solder masses and thus fails to anticipate the claim.

Response to Arguments

Applicant's arguments filed 6/13/03 have been fully considered but they are not persuasive. The arguments for the patentability of claim 40 are along the same lines as the arguments for the patentability of unamended claim 33 set forth in prior communications. Specifically, a limitation of intended use is not given patentable weight as long as the prior art is *capable of* performing the intended use. In this case, the mounting tail contacts/solder balls of Lemke et al. *can* electrically and mechanically connect to an array of fusible elements on a component, meeting the limitation of the claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ann M McCamey whose telephone number is (703) 305-3422. The examiner can normally be reached on M-F 9-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AMM

July 9, 2003



RENEE LUEBKE
PRIMARY EXAMINER